

**From:** juanplata@aol.com,

**To:** Jason@levinestein.com,

**Subject:** Singh v. Lintech

**Date:** Mon, Feb 4, 2019 3:40 pm

**Attachments:** DOC020419 Singh.pdf (212K)

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see attached letter and Second Requests for Production etc.

*Jonathan Silver*

*Attorney at Law*

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February 4, 2019

By reg mail and by email to Jason@levinestein.com

Levin Epstein & Associates, P.C.  
One Penn Plaza, Suite 2527  
New York, New York 10119  
Attn: Joshua Levin-Epstein, Esq.

Re: Gursewak Singh v Lintech Electric, Inc. et al  
Case No.: 1:18-cv-05780

Dear Mr. Levin-Epstein:

Just to follow up the recent conference held with the Magistrate Judge, your clients claim that my client was not their employee but, instead, an employee of another company.

The other company did not have authority to do work for NYCHA, if I understand that right.

I will be adding the other company as a party defendant but before I do so I need it's identity and some documentary evidence to support doing so in order to have some good faith basis to do so.

I also attach plaintiff's Second Request for Production of Documents and Things.

I await your response.

Very truly yours,

*JONATHAN SILVER*

js/mm  
attachments

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
GURSEWAK SINGH

Plaintiff

-against-

LINTECH ELECTRIC, INC.;  
LINDEN J. TUDOR

**PLAINTIFF'S  
SECOND  
REQUESTS FOR  
PRODUCTION OF  
DOCUMENTS  
AND THINGS**

**EDNY 18 CV 5870**

Defendants

-----X

Plaintiff by his attorney, JONATHAN SILVER, ESQ., pursuant to Federal Rules and the applicable Local Rules of the Eastern Districts of New York and the applicable definitions provided therein hereby serves the following **SECOND REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS** upon the defendants. With respect to providing responses to this Notice for Discovery and Inspection the following definitions shall apply:

A. "Produce" shall mean the production of the documents in their original or best-available form at the office of JONATHAN SILVER, ESQ. at 80-02 Kew Gardens Road, Kew Gardens, New York 11415.

B. "Identify" with respect to writing shall mean to (1) state its date, author, addressee, recipient, type, e.g., letter, memorandum, etc. or some other

means of identifying it, (2) to state the substance thereof or to annex to and incorporate in the answers to these interrogatories a true and correct copy thereof.

C. "Identify" when used with respect to a natural person shall mean that the answer must state his or her full name, position held with party answering interrogatories, and dates such position was held, and last-known residence and business addresses and telephone numbers.

D. As used here, "you" or "your" refers to any of its employees, agents, and all other persons acting or purporting to act on its behalf.

E. As used herein, "inquiry" or "communications" means all written, oral, visual, or other means of transmitting information, including, but not limited to, documents or writings, face-to-face conversations, and telephonic and other electronic or mechanical means of transmitting information, messages, or statements.

F. As used herein, "document" shall mean any written or graphic matter, or other means of preserving thought, or expression including, but not limited to, emails, text messages, correspondence, telegrams, drafts, bills of exchange, notes, checks, bills, vouchers, invoices, memoranda, orders, ledgers, reports, books, accounts, minutes, notes, recording transcripts, affidavits, whether originals, copies or drafts, however produced or reproduced.

**DOCUMENTS AND THINGS REQUESTED**

NOTE THAT ALL OF THESE DEMANDS ARISE BASED ON THE

REPRESENTATIONS MADE BY COUNSEL FOR THE DEFENDANTS THAT PLAINTIFF WAS NOT AN EMPLOYEE OF THE DEFENDANTS BUT AN EMPLOYEE OF ANOTHER COMPANY OR ENTITY.

1. Any documents evidencing payment by any party other than you during the period October 1, 2014 to date to either plaintiff or to any third party on his behalf of wages.

2. W2 or 1099 statements prepared or issued with regard to any wages or other payments made by any party other than you to plaintiff during the period October 1, 2014 to date.

3. Copies of any contracts, agreements or other documents setting forth the terms and conditions under which any COMPANY OR ENTITY THAT EMPLOYED THE PLAINTIFF during October 1, 2014 to October 1, 2018 at any of the following NEW YORK CITY HOUSING AUTHORITY is referred in this request as: (NYCHA). locations :

2215 First Avenue  
New York, NY

2205 First Avenue  
New York, NY

2105 Second Avenue  
New York, NY

205 East 112<sup>th</sup> Street  
New York, NY

Thomas Jefferson Houses (NYCHA)

Smith Houses (NYCHA)

1844 Lexington Avenue  
New York, NY

130 Lexington Avenue  
New York, NY

1840 Lexington Avenue  
New York, NY

1850 Lexington Avenue  
New York, NY

130 East 115<sup>th</sup> Street  
New York, NY

1591 Park Avenue  
New York, NY

1581 Park Avenue  
New York, NY

1565 Park Avenue  
New York, NY

1830 Lexington Avenue  
New York, NY

123 East 112<sup>th</sup> Street  
New York, NY

1810 Lexington Avenue  
New York, NY

1809 Lexington Avenue  
New York, NY

165 East 112<sup>th</sup> Street

New York, NY

2060 Third Avenue  
New York, NY

2070 Third Avenue  
New York, NY

1839 Lexington Avenue  
New York, NY

1829 Lexington Avenue  
New York, NY

64-66 Essex Street  
New York, NY

Seward Park Extension (NYCHA)  
New York, NY

45 Rutgers Street  
New York, NY

55 Rutgers Street  
New York, NY

LaGuardia Houses (NYCHA)

250 Clinton Street  
New York, NY

278 Clinton Street  
New York, NY

280 Clinton Street  
New York, NY

230 Clinton Street  
New York, NY

250 Madison Street

New York, NY.

LaGuardia Houses (NYCHA)

LaGuardia Houses Two Bridges (NYCHA)

James Weldon Johnson (NYCHA)

Thomas Jefferson Houses(NYCHA)

Smith Houses (NYCHA)

571 Wythe Avenue  
Brooklyn, NY

70/74 Wythe Avenue  
Brooklyn, NY

626/632 Wythe Avenue  
Brooklyn, NY

Taylor Wythe Houses (NYCHA)

487 Atlantic Terminal  
Brooklyn, New York

485 Atlantic Terminal  
Brooklyn, New York

1480 Beech Channel Drive  
Far Rockaway, New York

4. Wage reports, wage records, wage stubs, copies of checks (both sides), receipts and any other document evidencing any payment made to any party or entity other than you to the plaintiff for any work performed by the plaintiff during the period October 1, 2014 to date.

5. Daily records, daily entries or daily work related reports for the

periods of time plaintiff worked for any party or entity other than the defendants during the period October 1, 2014 to date.

6. Payroll records, certified payroll records, sign-in sheets, sign out sheets, attendance records for the periods of time plaintiff worked for any person or entity other than the defendants during the period October 1, 2014 to date.

7. Affidavits of Subcontractor or Material Vendor executed by any person or entity other than the defendants for the periods of time plaintiff worked during the period October 1, 2014 to date.

8. Certificates of Subcontractor Under Section 220-A of Labor Law executed by any person or entity other than the defendants for the periods of time plaintiff worked during the period October 1, 2014 to date.

9. Resident Employment Program Hiring Summary documents executed by the defendants for the periods of time plaintiff worked for the defendants during the period October 1, 2014 to date.

10. Monthly Equal Opportunity Contractor Reports executed by any person or entity other than by the defendants for the periods of time plaintiff worked during the period October 1, 2014 to date.

11. Any document or other writing prepared by any person or entity other than plaintiff or given by plaintiff any person or entity other than in which any such person or entity setting forth plaintiff's days of work, hours of work, start time, finish time, break time, lunch time, regular hours of work, overtime hours of

work, rate of pay, title or job classification, cash expenditures for the periods of time plaintiff worked during the period October 1, 2014 to date.

12. Any document or other writing prepared by any person or entity other than defendants given to defendants or received by defendants or given to any other person or entity or received by any other person or entity setting forth plaintiff's days of work, hours of work, start time, finish time, break time, lunch time, regular hours of work, overtime hours of work, rate of pay, title or job classification, supplemental benefits or other fringe benefits due and/or computed and/or paid, cash expenditures for the periods of time plaintiff worked during the period October 1, 2014 to date.

13. Any document evidencing any computations made by any person or entity other than the defendants as to any supplemental benefits or other fringe benefits due the plaintiff for the periods of time plaintiff worked during the period October 1, 2014 to date.

14. Any document evidencing any payment by any person or entity other than the defendant that was made to the plaintiff or to any third party on his behalf of any supplemental benefits or other fringe benefits due the plaintiff for any work for the periods of time plaintiff worked during the period October 1, 2014 to date.

15. Names and last known addresses of any person who supervised the work of the plaintiff other than the defendant for the periods of time plaintiff

worked during the period October 1, 2014 to date.

16. Names and last known addresses of any persons who made payments to the defendant for the work performed by plaintiff during the period October 1, 2014 to date as well as copies of all documents evidencing such payments.

17. Copies of any documents in the possession of the defendant evidencing the terms and conditions under which plaintiff worked for any other person or entity other than the defendant during the period of time October 1, 2014 to date.

18. Wage and payroll records for any work performed by the plaintiff during the period October 1, 2014 to date.

19. Documents evidencing any payments made such as fringe benefits, annuity payments, additional payments other than wage payments made to plaintiff or to any third party on his behalf for any work performed by the plaintiff during the period October 1, 2014 to date.

20. Any documents evidencing any communication by and between the defendants and any other person or entity that employed the plaintiff during the period of time October 1, 2014 to date including but not limited to text messages, emails, any other form of electronic communications.

21. Photographs depicting the plaintiff working during the period of time October 1, 2014 to date.

22. Documents indicating the title or job classification of work performed by the plaintiff during the period of time October 1, 2014 to date.

23. NYS-45 or Federal 941 documents for the periods of time plaintiff worked during the period October 1, 2014 to date.

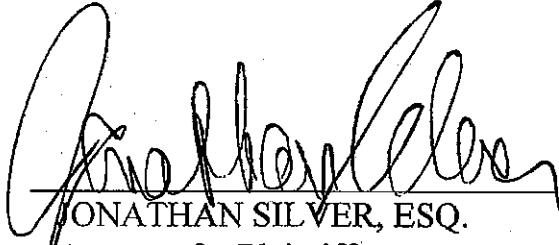
24. Documents whether Log book entries or otherwise showing the process and procedure with which plaintiff's reported hours were recorded any work performed by the plaintiff during the period October 1, 2014 to date.

27. The name and last known address of any person or entity other than the defendants that prepared NYS-45 or Federal 941 documents for the defendants during the period October 1, 2014 to date as well as copies of those documents.

28. Documents evidencing information about pay, deductions, withholdings or any other information concerning wages paid to plaintiff by any person or entity since October 1, 2014 to date.

29. Payroll and transaction detail report prepared by any person or entity other than the defendant evidencing information about pay, deductions, withholdings or any other information for work performed by the plaintiff during the period October 1, 2014 to date

Dated: Kew Gardens New York  
February 4, 2019



JONATHAN SILVER, ESQ.

Attorney for Plaintiff

80-02 Kew Gardens Road, Suite 316  
Kew Gardens, New York 11415  
(718) 520-1010